

CAPITOL AGAIN OCCUPIED

LEGISLATURE MEETS THERE FIRST TIME SINCE THE FIRE.

Senator Wagner Expects Income Tax Amendment to Pass Wednesday—Leader Smith of the Assembly Gets Back at Thomas Mott Osborne.

ALBANY, April 17.—Occupation by the legislators of the Capitol building was resumed to-night, when the Legislature reconvened for the first time since the recess taken on March 31, immediately following the Capitol fire. All of the rooms formerly used by the Legislature are again in use except the Assembly library and engraving room, the rooms used by the Senate Finance and Codes committees and by President Pro Tem Robert F. Wagner of the Senate, which were in the library section of the building. The fire also was responsible for the continued closing of the men's gallery in the Senate and the women's gallery in the Assembly. Otherwise the legislative halls seemed about as usual, although the fire odor and some dampness were still prevalent.

Senator Wagner gave notice to-night that the income tax constitutional amendment proposition would come up for discussion and passage in the Senate on Wednesday. Senator Wagner seemed certain that the proposition would pass the Senate by a safe majority.

Senator Joseph T. Newcomb gave notice in the Senate to-night that at some future date he would move to discharge the Senate Judiciary Committee from consideration of his proposed constitutional amendment extending the suffrage to women.

Majority Leader Alfred E. Smith in the Assembly to-night severely reprimanded a speech by Thomas Mott Osborne, Gov. Dix's Forest, Fish and Game Commissioner, in which Commissioner Osborne was credited with saying that it was impossible for him to have any interview with the leader of the Senate.

Mr. Smith went back at Mr. Osborne when the bill appropriating \$50,000 for fire prevention in the Adirondack region came up on the third reading calendar in the Assembly. He said:

"I moving that this bill be passed to-night I want to make a statement. I want to say that some time ago the Forest, Fish and Game Commissioner sent word to me that he wanted to know when he could consult me in regard to this bill. He came down here and wanted to know if he could see me down here, and I said no, I would save him the trouble. I would go up and see him. I went up to his office and consulted with him about this bill. He asked me to introduce and push it for passage. That was the only thing that he has asked me to do since the first day of January. I promptly introduced the bill and asked the Committee on Ways and Means to report it, which the committee promptly did. I advanced it as quickly as was possible to the order of third reading, and I am here right on the job to pass it."

I make this statement for the purpose of saying that the Forest, Fish and Game Commissioner at dinner in New York given by the intercollegiate sons of some kind or other took occasion to say that neither the leader of the Senate nor the leader of the Assembly could give a man an answer to his question. He asked of him in regard to the legislation of this house. And in the course of his advice to the young college men as to how they should line up in politics in the years when they came to have an interest in the affairs of the State he thought it would be well if they would keep away from political leaders, that the two young leaders of the Legislature were shining examples—not shining ones, but very dark ones—of the very bad system of too close affiliation with the leader of the party.

Now I do not get a chance to address the sons of the college, but this looks about the right place for me to say that there was no occasion for that. I consulted with leaders of the party on the Senatorial situation. I feel that I was doing what was proper and right, because that is a political as well as a public question.

But the point that I desire to make is that there was no reason for that remark, because everything, every single thing that that gentleman had occasion to speak to me about as to the legislation of this house, he got a direct and ready answer, and that is why his bill is on the calendar to-night.

Mr. Smith then had the bill passed. Senator Harte, chairman of the Senate Taxation Committee, introduced the bills recommended by some people who inaugurated a State tax conference at Utica some time ago. One bill changes the inheritance tax by striking out the double taxation which exists in the present law and is continued in the new law. The new inheritance tax law, which was introduced by Senator Gittins and Assemblyman Goldberg, following the Governor's recent message, differs from that bill in that it provides for a tax on both legal and collateral inheritances, but with much lower rates than the present law.

In the Harte bill the highest rate is 15 per cent. on collateral bequests of more than \$20,000, whereas in the present law the rate is 25 per cent. on amounts over \$1,000,000 and the other tax rates are reduced in proportion. The tax conference believes that public sentiment will support reasonable graded rates on inheritances and that merely to repeal the existing law and go back to the old rates would not permanently settle the question.

The second bill amends the so-called corporation franchise tax (collected for State purposes under section 182 of the tax law) by providing a plain, mathematical rule for the assessment of these taxes in accord with the resolutions of the Utica tax conference. There is no change in the general rate of tax, but the complex classification of the present law is simplified.

The third and fourth bills are intended to provide additional revenue for the State treasury. One of these bills provides for a tax of one-half per cent. on all bonds and other evidences of secured debt similar to the present recording tax on mortgages. On payment of such tax the bonds and other evidences of debt will be exempt from all other taxation. These bonds need not be secured by mortgage in the State of New York.

The last bill is the most interesting, for it taps an entirely new source of revenue, namely, the advertising privileges on railroads. There is proposed by this measure an annual license fee on the privilege of displaying advertisements in cars and other vehicles in the public highways, as follows:

In cities of the first class containing more than a million inhabitants according to the last State census, \$150 per car; in other cities of the first class, \$100 in second class cities, \$50; in third class cities, \$25; in all other places, \$10.

The bill also takes the privilege of maintaining stands on railroad property for the sale of books, papers, etc., as follows: In cities of the first class containing more than a million inhabitants, \$50 a stand; in other cities of the first class, \$40; in second class cities, \$20; in third class cities, \$10; in all other places, \$5.

The Assembly passed Assemblyman A. J. Law's bill giving the Justice of the Appellate Division of the First Judicial

ANNUAL APPROPRIATION BILL

LEADER SMITH INTRODUCES IT IN THE ASSEMBLY.

It Carries a Total of \$25,486,821, or an Increase of \$138,262 Over Last Year, but Includes \$587,375 Made Necessary by New Legislation Last Year.

ALBANY, April 17.—Majority Leader Alfred E. Smith of the Assembly to-night introduced the annual appropriation bill. It carries appropriations amounting to \$25,486,821, as compared with \$25,348,559, the total of the annual appropriation bill signed by Gov. Hughes last year, or an increase of \$138,262. But the Democrats call attention to the fact that the last Legislature made provision for the expenditure of \$587,375, which is included in the bill reported to-night.

The annual appropriation bill carries appropriations for the fixed charges of the State Government to maintain the various State departments and State institutions. Each year there is also passed by the Legislature a second financial bill known as the annual supply bill, which last year amounted to \$6,000,000 and which usually carries deficiencies in appropriations made the previous year for State departments and State institutions.

In addition there are several special appropriation bills, usually for buildings at existing State institutions, for new canal bridges and appropriations for various purposes which are not annual charges against the State. These special appropriations last year aggregated \$6,000,000, the total appropriations for all purposes last year being \$37,000,000 as allowed by Gov. Hughes, who cut out items amounting to \$5,000,000 from the various bills passed by the Legislature, which had carried appropriations amounting to \$42,000,000.

Until the annual supply bill is prepared by Chairman Smith of the House Ways and Means Committee and it is known just what special appropriation bills are to be passed and approved by Gov. Dix it will not be known whether or not this Democratic Legislature and the Democratic Governor will be able to hold the appropriations down to the amount of the total appropriations allowed by Gov. Hughes last year. It will take \$12,000,000 for expenditure through the annual supply bill and the special appropriation bills before the Democrats would exceed the Hughes expenditure of last year. Majority Leader Smith said to-night that it was the reasonable hope of the Democratic leaders to avoid a direct State tax and yet not stint the needed appropriations for the administration of the State Government.

"With this end in view," said Mr. Smith, "we have not provided a single additional office in the annual appropriation bill nor established any new source of expenditure."

The present estimated annual income of the State is slightly in excess of \$37,000,000.

On behalf of the House Ways and Means Committee Chairman Smith to-night introduced the following statement:

The total of the appropriation bill as introduced amounts to \$25,486,821, as compared with \$25,348,559, the total of the appropriation bill as signed by the Governor last year. This shows an increase of only \$138,262 over the bill as signed last year, notwithstanding the fact that there is an increase of \$587,375 made necessary by new legislation of last year. This increase is made up as follows:

Maintenance of common schools due to increase in population of public schools, \$285,000; salaries and expenses of school district superintendents, in place of school superintendents, from January 1 to October 1, 1912, \$147,375; maintenance of new Great Meadow prison, \$120,000; maintenance of new Mohawk State Hospital for the insane, \$35,000. There is also an increase of \$180,137 for agricultural purposes, it being the policy of this administration to favor agriculture.

This bill carries all of the items which were in the appropriation bill of last year and a number of items which have heretofore been carried in the supply bill. The bill is divided into sections showing the classifications of the different divisions of the State Government, to conform to the new system of accounting as recommended by the State Comptroller.

The department have responded in a spirit of cooperation to the request for a 10 per cent. deduction, but the deductions are in many cases made in the supply bill, showing a deduction of 10 per cent. for the departments on the contemplated appropriations.

The appropriation bill covers salaries and fixed items of expenditure, and in view of the large increase required by law, the result of the present appropriation bill is satisfactory, particularly by comparison with the bill of last year. The appropriation bill for the last seven years was shown by the following table:

1904, Chap. 728, appropriation bill, \$17,091,520.
1905, Chap. 666, appropriation bill, \$19,136,384.
1906, Chap. 671, appropriation bill, \$20,115,123.
1907, Chap. 577, appropriation bill, \$20,115,123.
1908, Chap. 577, appropriation bill, \$20,115,123.
1909, Chap. 432, appropriation bill, \$22,625,570.
1910, Chap. 512, appropriation bill, \$25,248,559.
1911, as introduced, appropriation bill, \$25,486,821.

GOV. DIX'S ACT RATIFIED.

Trustees of Buildings Approve Order to Repair Electric Wiring in the Capitol.

ALBANY, April 17.—Lieut.-Gov. Conway and Speaker Frisbie of the Assembly at the meeting of the Trustees of State Buildings to-day voted to ratify the act of Gov. Dix in ordering the immediate repair of the dangerous parts of the electric wiring in the Capitol which it was shown ten days ago were threatening the safety of the unburned portions of the building.

The trustees to-day authorized State Architect Ware to open proposals for fire equipment for the Capitol and to submit the figures to the trustees, who will hold an adjourned meeting to consider them at 1 o'clock to-morrow afternoon.

Henry W. Garfield of New York was appointed auditor to the Trustees of State Buildings to take charge of all bills for labor and materials and exercise expert supervision over the finances and business end of the building work on the Capitol. The position was created by the trustees with the approval of the Governor and State Civil Service Commission, and was placed in the non-competitive schedule. The salary was fixed at \$3,500 per annum.

Gov. Dix to Entertain Bryan. ALBANY, April 17.—Announcement was made at the Executive Chamber to-day that William J. Bryan, who is coming to Albany on May 23 to give a lecture under the auspices of the National Civic League, is to be entertained by Gov. Dix during his stay here as the personal guest of the Governor at the Executive Mansion.

Mr. Bryan is to lecture at the armory of the Second Battalion, Tenth Infantry.

Loew's Theatrical Enterprises Incorporated. ALBANY, April 17.—Loew's Theatrical Enterprises, with principal office at Port Even, Ulster county, was incorporated to-day with a capital of \$50,000,000. The directors are: John J. Loew, president; Rhinoket, Elek John Ludwig, David Bornstein, I. Harold Stern and Joseph M. Schenck of New York.

IN CONTROL OF THE SENATE.

Democrats and Insurgents Vote Together on Popular Election of Senators.

WASHINGTON, April 17.—There was a showing of hands in the Senate to-day on the question of the popular election of Senators. It came up on the question of reference to a committee of the Senate of the resolution coming over from the House, which proposed a constitutional amendment providing for the election of Senators by popular vote. The Vice-President referred the resolution to the Committee on Privileges and Elections. This was regarded by many as a slap at the Judiciary Committee, which handled a similar resolution in the last session. Later Senator Culberson moved to reconsider the action by which the resolution was referred to the Committee on Privileges and Elections. The motion to reconsider prevailed, the Democrats and the twelve insurgent Republicans voting together for Senator Culberson's motion, and the regular Republicans voting in opposition thereto.

The effect of the adoption of Senator Culberson's motion was to recall the resolution from the Committee on Privileges and Elections and bring it before the Senate again. Senator Culberson then entered a motion to refer the resolution to the Judiciary Committee, but an objection being made, this motion had to go over and will be taken up and disposed of when the Senate meets Thursday.

The vote showed that the Democrats and insurgents, voting together, are in control of the situation as regards the direct election of Senators and will be able to work out their plan with respect to the final disposition of the resolution. Prior to the last session of Congress resolutions providing for popular election of Senators were referred to the Committee on Privileges and Elections. There they slumbered peacefully. At the last session some of these resolutions found their way into the Judiciary Committee with the result that one of them was reported back to the Senate and consideration given it. The friends of the resolution therefore want the Judiciary Committee to again consider it. In justification of this action the resolution was cited to-day that four resolutions introduced in the Senate this session providing for the popular election of Senators were referred to the Committee on the Judiciary.

Senator Sutherland of Utah called at the White House to-day and said that it was his intention to renew his amendment relating to the Federal Government the power to exercise control over the election of Senators. His amendment, which was adopted in the last session, offended some of the Southern Senators, because it feared it would amount to an invasion by the Federal Government of the States' control over elections and would serve to set aside many of the qualifications now prescribed in the States for electors which have sprung up on account of the race problem. Senator Sutherland expressed the opinion that his amendment would again be adopted.

GETS THE LAUGH ON CLARK.

Gardner of Massachusetts Injects a Bit of Humor into the House Proceedings.

WASHINGTON, April 17.—Representative Gardner of Massachusetts, who is normally a serious minded man, injected a bit of humor into the proceedings of the House to-day. Mr. Gardner had five minutes in which to make remarks on the Canadian reciprocity bill. He asked unanimous consent to print in the Record a statement embodying the terms of a law recently passed by the New Brunswick Parliament placing an export tax on raw materials. Representative Clark of Florida objected. This put Mr. Gardner to the necessity of reading the New Brunswick law. He proceeded to read it at the rate of 900 words a minute or more, not a syllable that he uttered being intelligible. The House laughed and applauded. Mr. Clark appealed to the chair to call Mr. Gardner to order.

"This jargon is unintelligible," he said. "Members are entitled to know what is going on in debate."

Representative Sherley of Kentucky, who was in the chair, replied that there was no rule that had a bearing on the case. The rules do not prescribe how a member should speak. He said he was for the member to decide that question himself.

"Well, this is merely a circus and the gentleman from Massachusetts is appealing in the principal role," said Mr. Clark.

Mr. Gardner was going ahead with his rapid fire reading when his time expired. Five more minutes were granted him and he then read with deliberation. By this time Mr. Clark was in conversation with a fellow member.

"I would like to have the attention of the gentleman from Florida," said Mr. Gardner.

Mr. Clark walked over to the Republican side. Mr. Gardner coming down the aisle, Mr. Clark then read directly to Mr. Clark, bowing gravely to the Florida member when he had concluded. Mr. Clark returned the salutation. Members laughed and applauded Mr. Gardner.

DEBATE ON RECIPROCITY.

Representative Fordney of Michigan, a Standpatter, Opens It in Opposition.

WASHINGTON, April 17.—As a result of the campaign instituted against the "leave to print" privilege by Representative Clark of Florida, it is probable that a general debate on the Canadian reciprocity will run longer than was expected and there will not be a vote on the measure until Thursday or Friday. Incidentally it looks very much as if the "leave to print" proposition, which means simply that a member can insert in the Congressional Record as a speech any amount of written matter, whether delivered in the House or not, is doomed.

Mr. Clark and other members demand that "not delivered in the House" be printed in big black type at the head of every contribution to the Record that is not actually delivered on the floor. As a result of numerous objections to-day members who had contemplated delivering a few introductory sentences and then securing permission to "extend" as much stirred up. Some of them are practicing real eloquence at home.

Representative Fordney of Michigan, a standpatter of standpatters, opened the debate in the House on the Canadian reciprocity bill. He talked for two hours, declaring that the calling of the special session by President Taft was unjustified, attacking the New England "give us everything—we'll concede nothing" attitude and defending the customs rates in the Payne-Aldrich bill. Mr. Fordney was followed by Representatives Harrington of New York and Peters of Massachusetts, both of whom spoke in favor of the Canadian pact. Representative Lenroot of Wisconsin, a Republican insurgent, followed Mr. Peters in opposition to the reciprocity measure, reviewing the familiar arguments against the enactment of the pending legislation.

Representative Brundage of Indiana, the lone minority member from the Hoosier State, was the first Republican to support the reciprocity measure. He had a small audience, most of the members of the House were of the day of conversation, having gone home to dinner. The House adjourned at 5:50 o'clock.

BOTH DEAD NOW.

Josephine A. Wagner made a will in 1878 leaving it to a sister because of her marriage and a Christiana's husband. The sister died first. Mrs. Wagner is dead now and the will is offered for probate.

B. Altman & Co.

BLANKETS, COMFORTABLES, BEDSPREADS, MUSLIN SHEETS AND PILLOW CASES,

AT SPECIAL PRICES FOR THIS DAY (TUESDAY):

WHITE WOOL BLANKETS	PER PAIR, \$3.00, 4.00 & 5.50
COMFORTABLES	EACH, \$1.75
SATIN FINISH BEDSPREADS	EACH, \$2.50
CROCHET BEDSPREADS	EACH, \$1.25 & 1.65

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ALSO FOR THIS DAY (TUESDAY),

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WITH SILVER TRIMMED HANDLES, USUALLY \$5.00 AT \$3.00

WOMEN'S TRIMMED HATS

AT THE GREATLY REDUCED PRICES OF \$15.00 & 25.00

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A SPECIAL SALE OF WOMEN'S DOMESTIC UNDERWEAR

HAS BEEN ARRANGED FOR THIS DAY (TUESDAY):

WHEN A NUMBER OF DESIRABLE STYLES IN NIGHT ROBES, COMBINATION GARMENTS, PETTICOATS, DRAWERS AND CHEMISES WILL BE OFFERED AT EXCEPTIONALLY LOW PRICES.

THE REGULAR SPRING STOCK OF WOMEN'S DOMESTIC UNDERWEAR CONTAINS MANY NEW AND EXCLUSIVE DESIGNS IN MODERATELY-PRICED PRINCESS SLIPS, DRESSING JACKETS, PETTICOATS, COMBINATION GARMENTS, NIGHT ROBES, DRAWERS, ETC.

Fifth Avenue, 34th and 35th Streets, New York.

BUTLER SHOTS UP THE HOUSE.

The Rev. S. Stuart Dodge's Servitor, Inmate at Last Shoots Himself.

Edwin G. Carr, a negro butler in the home of the Rev. S. Stuart Dodge, at 6 East Forty-ninth street, became insane yesterday morning and emptied a revolver at the walls under the impression that he was slaying burglars. He ended by putting two bullets into himself.

Carr was sure there were burglars in the house on Sunday night. About 1 o'clock in the morning he called up Police Headquarters and said that burglars were trying to break in. Two policemen were sent around from the East Fifty-first street station and went through the house under the guidance of the butler, but found nothing wrong.

Carr quieted down for a time, but about 5 o'clock began to run through the lower part of the house firing his revolver at random. The shots echoed through the block and windows within sound of them were filled with excited people. Dr. Dodge and his family were behind locked doors on the second floor, and he finally got to a telephone and told Police Headquarters that his butler was shooting up the house.

When policemen arrived they stumbled over Carr in the front hall. One bullet had entered the mouth and come out through the temple and another had entered the abdomen. Carr uttered something about shooting at burglars as they went up the stairs. The walls were perforated by several bullets and the revolver by his side was empty.

The negro was taken to Flower Hospital, where it was said that he would probably die. He has been in Dr. Dodge's household for thirty years. Later he had acted peculiarly and Dr. Dodge intended soon to pension him and place him in a sanitarium where he would be cared for.

Movements of Naval Vessels.

WASHINGTON, April 17.—The cruiser Birmingham has arrived at Guantanamo, the destroyer Roe at Annapolis, the cruiser Chester at Santo Domingo city, the tank ship Arcturion at Hampton Roads, the gunboat Newport at New York yard, the gunboat Princeton at San Diego, the collier Pompey at Cavite, the cruisers Saratoga, Albany and New Orleans at Hongkong and the battleship South Carolina at Provincetown.

The collier Lebanon has sailed from Hampton Roads for Charleston, the tug Petenckott from Norfolk for New York and the destroyer Warrington from Newport for Hampton Roads.

WILD'S

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